

HAMILTON COUNTY BOARD OF COMMISSIONERS  
MARCH 26, 2001

The Hamilton County Board of Commissioners met on Monday, March 26, 2001 in the Commissioner's Courtroom at the Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana. They met in Executive Session from 12:25 p.m. to 1:20 p.m. President Dillinger called the public meeting to order at 12:30 p.m. A quorum was declared of Commissioner Steven C. Dillinger, Commissioner Steven A. Holt and Commissioner Sharon R. Clark. The Pledge of Allegiance was recited.

**Executive Session Memoranda:** (Tape 1, #1199)

Clark motioned to approve the Executive Session Memoranda. Dillinger seconded. Motion carried unanimously.

**Bid Opening:**

**Aggregates - Highway Department:**

Mr. Michael Howard opened the bids for Aggregate for the Hamilton County Highway Department. Form 96, Bid Bond were included unless otherwise specified. 1) Martin Marietta Materials - #53 stone - \$6.00 ton; #11 stone - \$12.05 ton; brown filled sand - \$3.50 ton FOB River Road complex. FOB 96th Street - #53 stone - \$6.00 ton; #8 stone - \$10.60. 2) IMI - #11 stone - \$10.05 ton, #53 commercial stone - \$5.25 ton FOB at Stoney Creek site. McCordsville site - #53 stone - \$8.65 ton, #53 stone commercial - \$5.20 ton, sand - \$5.25 ton. Mr. Howard recommended the bids be forwarded to the Highway Department for review and recommendation at the next meeting. Clark motioned to approve. Holt seconded. Motion carried unanimously.

**Approval of Minutes:**

Clark motioned to approve the minutes of February 26, 2001. Holt seconded. Dillinger abstained. Motion carried. Holt motioned to approve the minutes of March 12, 2001. Dillinger seconded. Clark abstained. Motion carried.

**Plat Approvals:**

**Lochaven at Noblesville:**

**Provost of West Clay:**

**Village of West Clay:**

Mr. Jose Kreutz, Brenwick Development requested approval of plats for Lochaven at Noblesville, Provost of West Clay and Village of West Clay. Holt motioned to approve the plats for Lochaven at Noblesville, Provost of West Clay and Village of West Clay. Clark seconded. Motion carried unanimously.

**Kingsborough Variance of Right-of-Way Request:** (Tape 1, #1418)

Mr. Bill Bryant, Stoppelwerth & Associates representing Zaring Homes, requested a right-of-way variance be approved for Kingsborough Subdivision, Section 4. We are requesting the variance because of the non-existence of right-of-way south of our entrance. Mr. Locke stated the Highway Department recommended they receive a variance to reduce from our minimum standards or to get the Commissioners approval to vote this as a county project to acquire this right-of-way as we have done on some passing blisters. It is his understanding that the entrance to the subdivision can be moved at this point so it tapers just on their property. Mr. Locke stated they recommend the Board grant the variance or make it a county project so we can acquire the additional property needed. Clark asked Mr. Bryant if they knew the taper was going to be required when you located the entrance at this location? Mr. Bryant stated yes they did, there is an existing water main that Hamilton Western Utilities has run through the

site to serve the property on the west side of Ditch Road. We would have to re-lay the water main, which is one of the reasons we did not want to move the entrance. Holt stated he does not understand why you would have to relocate the water main. Mr. Bryant stated the water main is approximately 4' on the north side of the entrance of Kingsborough and it is in place. Holt asked if this is an above ground facility? Mr. Bryant stated it is below ground. Holt asked why does that keep you from moving the entrance? Mr. Bryant stated because the interior stream from Ditch Road will also have to shift. Holt stated he is confused with Highway's response. Normally they are saying a variance should not be granted because it is a health and safety issue for Ditch Road. Mr. Locke stated we don't believe it should be reduced, we believe the full decel lane should be installed and the Commissioners agree to go through the condemnation process if necessary on the adjacent parcel to get that taper in. We feel it will be much safer with the amount of traffic for the tapers and decel to be put in. Clark asked Mr. Locke how did this get to us, when it is required to go through TAC meetings? Mr. Steve Broermann, Highway Department, stated the original construction plans were submitted in December 2000 and in his comment letter to the engineer he told them they would have to relocate the entrance or acquire the right-of-way necessary to leave the entrance where it was at. They have been working with Mrs. Waters who is unwilling to sell the right-of-way. Mr. Broermann stated the construction plans have not been approved. Holt asked if the entrance has been constructed? Mr. Bryant stated no. Mrs. Waters, 14119 Ditch Road, stated she is here to protect her property. She has a prime piece of property. Those trees are priceless. She believes the entrance should be moved further north. She does not believe they should be condemning her property because a developer wants to appreciate his property. It is showing preference of a developer over herself. She will start a petition if anyone threatens those trees. She does not understand the water line. When she went into a Kingsborough model home and spoke with the realtor, three houses have been sold based on the entrance going to be where they want it. How can you sell property based on plans that have not been approved? The Realtor also told me that the north part of her property, the south side of Kingsborough's property has beautiful trees that will enhance the neighborhood and that is when I told her that the beautiful trees were her's and she would not want them cut down to benefit the developer for monetary reasons. She understands the safety of decel lanes, but she does not see why they should condemn her property. Mr. Locke stated we have told them this was an issue from the very beginning and they were confident they could get right-of-way. Dillinger asked how much room is there to compromise? Mr. Locke stated he would recommend keeping all improvements within their property, so the taper would show from the radius to the edge of their property. Holt motioned to deny the request for the variance and decline the opportunity to aid and abet the acquisition. Clark seconded. Motion carried unanimously.

#### **Highway Business:** (Tape 1, #2245)

#### **106th Street and College Design (Home Place):**

Mr. Matt Morasch showed the commissioners the final design for the 106th Street and College Avenue intersection. Two public hearings have been held to solicit comments on the design. Mr. Morasch stated they recommend a 6' sidewalk be carried through the entire project, with exceptions where we are close to existing properties which would include the Pleasant Grove Cemetery where we would back the sidewalk down next to the curb. The second location that we suggest the sidewalk be placed next to the curb is by the Speedway Gas Station. We will miss the existing gas island pumps. The third location is at the Home Place Tavern and Restaurant. The sidewalk along the Mister Window building has been dropped to the curb line. We have minimized the sidewalk along the Multiguard building. Initially we showed the Monon Trail Connection from the intersection to where it connects to the Monon Trail. We received several comments about missing the existing structures. We have put it down to the east property line of the Multiguard building and taper it back into the trail section and carry it on to the Monon Trail. At the intersection we tried to minimize the impact to the existing structures. Our first recommendation would be to drop the lane widths from 12' to 11', which would save us 1' per lane. We also eliminated the lane taper and reduced the radius near the Home Place Tavern and Restaurant. This would allow us to keep the building in place, with a slight modification to the building. We are about 1½ months behind schedule. Dillinger asked about the east side of the intersection on the west bound lane there is only a left turn lane and a straight and right turn lane and the same thing from the north going south. Does that destroy what we are trying to create? Mr. Morasch stated we are using existing traffic numbers to get this intersection to a service level "C" or "D". It is not a heavy traffic movement in these

directions. Clark asked if the homes east of Multiguard are private homes? Mr. Morasch stated yes. Clark asked what is the rationale for widening it in front of those homes. Mr. Morasch stated some of the public comments were that they wanted it all the way to the intersection. We will have to purchase right-of-way in front of those homes regardless if it is sidewalk or trail. Clark asked how close is the 10' pavement in front of those homes? Mr. Chris Hammond, First Group Engineering, stated it is greater than 25'. Clark stated those homeowners are concerned about the corruption to their yards. It would look strange esthetically. Clark asked if any of the numbers were revised considering the US 31 upgrade and opening of Penn? Mr. Hammond stated we have not, the numbers we received were from a count done in 1999, early 2000. Mr. Morasch stated those counts included a 2% growth rate in the model. Mr. Locke stated we felt with the opening of Penn and the changing of US 31 to interchanges that Penn would primarily would be a frontage road with a lot of additional traffic from US 31. We did not feel traffic would come to College to use that stretch of road. Clark stated she knows the residents were concerned with a six lane intersection. Did you consider at all knocking the 6 lane south leg down to a five lane to mirror the five lane north on College? Mr. Hammond stated they met last week with the Greater Home Place Neighborhood Association and explained it is a five lane cross section in north bound and south bound. The right turn lane is a perpetuation of the deceleration of the Crystal Flash development. It is not a thru lane. Mr. Locke stated the original design was not to have a thru lane at the top and that this was only a decel lane. If we built the radius out and bring it back to make a right turn lane only, but as ardent as Clark has been with having two lanes across he felt to go ahead and let the traffic go thru. Clark asked if there is more traffic north than south? Mr. Hammond stated that is correct. One of the heaviest movements is the northbound to eastbound in the evening and in the morning is westbound to southbound. To achieve the level of service this is the necessary lane configuration to achieve that in 20 years. Clark asked if you used the same 2% going east-west, north-south? Mr. Hammond stated yes. Clark stated today the traffic counts she has shows 13,000 cars plus north-south on College. In 1998 there were 13,000 plus on 106th Street, yet this configuration does not show that. Mr. Locke stated Mr. Hammond is using the numbers from the A&F study and Clark is using the actual counter numbers. Mr. Locke stated they have done hourly traffic volumes at this location based on the peak hourly traffic and not the average of the entire day.

Mr. Dave Coots, 255 E. Carmel Drive, representing Home Place Enterprises the owner of the property on the southeast corner. It is obvious the intersection is designed for future requirements. As you look at each direction from this intersection you dump into a two lane existing road that does not see any improvement as a result of the intersection improvement. It is our concern that even this revised plan as proposed, with the turn lane northbound on College taking all of the parking off of the west side of the Home Place Enterprises building and the two thru lanes eastbound on 106th Street on the north side of the Home Place Enterprise facility taking away all of the existing parking, that the revision does nothing more than what the full scale plan you presented on February 26th. Effectively the building is entirely taken by this proposed revision as well as the earlier proposal. Our concern is that this plan, if adopted, leaves the building but leaves the business with no parking availability. It is his understanding that you don't have an interest in attempting to determine elsewhere available property or condemnable property that would substitute for parking for this facility as well as other businesses in this general intersection area that are going to lose their 106th Street or College Avenue parking areas. Our request is if you are going to expend the funds for this intersection that the original plan for the taking of the building be followed or if you adopt this plan, in effect taking the entire Home Place Enterprises building, we ask your consideration in what plan you do adopt and the impact on the business considering the parking being totally eliminated. Dillinger asked if that is all the parking they have now? Mr. Coots stated on the north and west side, yes. Mr. Spencer, primary shareholder does own property on the north, but that is not designated parking for Home Place Enterprises. Clark asked how many parking spots are lost? Mr. Coots stated 38 parking spaces. Mr. Howard asked how many of those parking spaces are in existing right-of-way? Mr. Coots stated he has not measured it. The pavement on 106th Street, up to the curb, is paved and lined and constitutes parking space. Clark asked if there is parking in the rear? Mr. Coots stated 12 parking spaces, to the south and east which is owned by Home Place Enterprises.

Mr. Mark Swanson, 10610 N. Park Avenue. He is a member of the Greater Home Place Neighborhood Association and also on their Board. The neighborhood association has asked him to speak on their behalf in regards to the project. The neighborhood association basically supports the idea of this

intersection being improved. The radius need to be improved, sidewalks are welcomed, handicap access is welcomed and tying this project to the Monon Trail is welcomed. One of the items the association does not support is the magnitude of the scope in the terms of the number of lanes addressed in the second design of the project. In a survey of College Avenue from 86th Street to 116th Street, no where on College Avenue do we find more than four lanes at any intersections. When we are talking about six lanes of traffic on the south lane of College and five lanes on the north it will be the greatest impact of an intersection anywhere from 86th Street to 116th Street. Our concern is that Home Place is a quaint, established community with neighborhoods and retail business and by developing a project with this scope we feel like we are tagging this area as not pedestrian and business oriented. We would like to see the number of lanes proposed on College north and south be reduced to four and the lanes east and west on 106th Street be reduced to three. The concern is that we are building a major highway through this area that is not neighborhood and pedestrian friendly and we would like to maintain the Home Place Village just as is. The people that work in this area see a similarity between this area and Broadripple Village. That is a community at 62nd Street and College where neighborhoods and businesses are joined together, a lot of traffic, but we don't see that community trying to improve it's roads by developing a six lane street through downtown Broadripple to accommodate traffic. The other issue is that we have not seen an amenities package for this development. On this plan it shows four bushes indicated to be planted at the intersection. We would like you to look at traffic signals, street lights, landscaping, decorative sidewalks, possibly benches. The focus to date has been the development of the sidewalks and the street. Mr. Swanson stated one of the comments that came back to the Highway Department that the possibility of narrowing the right turn lanes to 10' would be an option. We appreciate the Highway Department's initiative to reduce the lanes from 12' to 11', but if we could reduce the right turn lanes to 10' would be welcome to try and reduce the impact of the overall scope of the project. In regards to the comment made regarding the right turn lane into Crystal Flash, on the plan that right turn lane does not terminate at Crystal Flash. It extends all the way to the south to Arthur Drive, which is the next residential street to the south. Mr. Swanson stated he recently saw an article in the Indianapolis Star dealing with the development of 38th Street. The City of Indianapolis is going to basically spend \$17.5 million to redo 38th Street from Crown Hill Cemetery east to the State Fairgrounds. 38th Street at one time was a maple tree boulevard. In light of trying to deal with the increasing traffic on 38th Street all the maple trees were cut down and 38th Street was increased in size. Today they are trying to return 38th Street to the boulevard that it was years ago. The article states that "the City needs to restore a sense of community and create a new commercial district. A place to live and enjoy not just a thoroughfare to barrel through on your way to somewhere else." "If an interesting example of how we are seeing roads in our neighborhoods are not just streets to someplace else but in fact a part of our community." Mr. Swanson asked the commissioners to consider the neighborhood association's requests to lighten the scope of this project in light of maintaining this as a community and the integrity of it.

(Tape 2, #344) Mr. Jack Edwards, 10475 Cornell, stated he would like to see the sidewalk at the cemetery reduced in size to 4'. On the trail from the east side of Multiguard to Lexington, if we have to maintain width he would like to see it built with concrete rather than asphalt. It would be better esthetically for those homeowners in that area. The best solution would be to take it down to 6' in front of the homes and back to 10' at Lexington Farms. He would like to see the sidewalk kept to a minimum.

Ms. Judy Hagan, Clay Township Trustee 10701 N. College Avenue, asked if the speed limit has been addressed? Clark stated the posted speed limit will be set by the commissioners and has not been determined yet. In reference to the amenities, there are an incredible number of overhead lines of all kinds on the south side of 106th Street. Has there been any estimate on the cost of burying those lines? Can any of that be part of this project? Dillinger stated he can't say for this project, but on other projects we have had the cost is huge. Mr. Locke stated estimates could be in the half million range. It would vary by the type of lines. Mr. Howard stated that presumes a will to do that and several utilities have said they are a pole utility, not an underground utility. Sometimes the utilities are reluctant to do that. Ms. Hagan stated she believes it is appropriate as part of the project to get an estimate for burying the lines. Mr. Locke stated we could ask for that, but we have a hard time getting information back from utilities. Mr. Locke asked if the Township is interested in picking up the cost or part of it? Ms. Hagan stated they would like it investigated, she is not sure statutorily it is permissible. She understands that the county policy is not to include street lights? Dillinger stated the County does not do street lights. Ms. Hagan stated there

are street lights there and she would like to know who owns them. Ms. Hagan asked if those are relocated or taken down? Mr. Locke stated that is totally up to the utility company and who is paying for them. Ms. Hagan stated this project is going to have a tremendous physical impact on this local community and intersection. Anything that can be done to bring the scale down for pedestrian and alternate transportation and maintain the village atmosphere would be appreciated. She would like to see what kind of decorative street lighting might be. Mr. Locke stated if they are directed to do so, they will. Mr. Locke asked if there is a business association in that area that might be interested in paying for those kind of things? Ms. Hagan stated there may be a couple of opportunities if we can get a handle on costs. Ms. Hagan stated she knows you are working under certain parameters to qualify for federal funds, she would like clarification of what the minimums are and does the minimum include six lanes? Mr. Locke stated he could have Mr. Hammond go over that with her, when we are done. This is a small group of the 90 to 100 people we have talked to. There were very vocal people at the hearings that set the direction we went from our first meeting. We did design what the group decided. We did try to do, as a whole, what the neighborhood wanted at this intersection. Ms. Hagan stated that is fair, there was all most unanimous support for improvements to this intersection. Mr. Locke explained that during the public hearing we did a fairly complete course on what the requirements meant. Overall the group was very informed on the decision they were making. Ms. Hagan agreed that they were, it was an excellent meeting.

Mrs. Martha Corn, 555 E. 107th Street, stated she attended both public hearings and it was explained in great detail what the plans were. In August she went along with the majority because we did not know the impact on the community. In January, when she saw the plans, they did what we wanted them to do and saw the plans, her position changed and she would prefer plan A, a reduction in the plan. We don't want this turned into a 116th Street.

Dillinger stated it is important for you to understand that we are trying to be sensitive to your wants as a community, just as we tried to be sensitive to the wants of residents on 146th Street and every other road we expand. We still have an obligation, those are public roads and if we are going to do those kind of projects, we need to engineer them correctly so we don't have to come back five years from now and redo them again. People from all over the county are paying for these projects. We try to be as sensitive as we can, we have an obligation to do the right thing for the general public.

(Tape 2, #868) Holt motioned to accept the Highway Department's recommendation with the following changes, we reduce the turn lanes to 10' in width, which he understands keeps us in conformity with federal guidelines and does not jeopardize our funding, Mr. Morasch stated that is only one right turn lane, north bound. Holt stated his motion is for both the north bound and south bound exclusive right turn lanes, which would be two total to be 10' width and to formalize in this motion that the Highway Department be directed to investigate the costs and various designs of potential lighting for the intersection. Mr. Locke asked decorative or standard? Holt stated we need to know the range of costs. Clark seconded. Clark asked if Holt would accept an amendment to cut the east leg of the path down to 6' in front of the homes? Holt stated he attended a meeting of representatives of the Greater Home Place Association and he heard if we eliminate the 10' path in front of those five homes, and it does make some sense, it would be a slippery slope to explain why the Feds should pay as part of an intersection improvement program to tear out the existing concrete sidewalk in front of Lexington Farms and replace that with a 10' path. One of the biggest advantages to the intersection of 106th Street and College is it's proximity to the Monon Trail. If we lost that spur coming off of the Monon that taper into downtown Home Place would be a bigger disservice to that community having a 10' path verses a 6' sidewalk in front of those homes. Clark asked if he would accept an amendment for a 4' wide sidewalk in front of the cemetery? Holt stated if his kids were riding on that sidewalk on it is on edge of curb and only 4' wide the ability to pass another bicycle going the other way will be put in jeopardy by taking the 2' off. It is a health and safety issue if we go down to 4'. Clark asked if there is any interest in 5 lanes as opposed to 6? No response offered. Clark stated she thinks the size of this intersection is going to corrupt the integrity of the community and she finds that unnecessary. If you want to go from Keystone to College you simply go through Broadripple, you take a larger road because Broadripple is a unique community and not meant to be a major thoroughfare. Dillinger asked if Clark would prefer to do nothing? Clark stated no, she would prefer to have the intersection built to reflect the uniqueness of Home Place. Dillinger stated with disregard of the engineering facts? Clark stated she has raised several concerns about the numbers. She

does not understand how all of a sudden at 106th Street and College somehow takes on more traffic than at 62nd and College or 86th and College. All of those intersections are busier than this one. There is wiggle room in the design. Holt stated in defense of his motion, this is the compromise. We have scaled back the program. Based on traffic counts the design they had was larger than this one. Clark stated she understands we have taken out 6' north-south and 4' east-west. You reduced the lanes from 12' to 11'. Mr. Morasch stated that is correct, plus another 2' on the north-south by reducing it to 10'. Dillinger and Holt approved. Clark opposed. Motion carried.

Dillinger called a break at 2:45 p.m. Dillinger called the meeting back to order at 3:00 p.m.

#### **Highway Business: (Tape 2, #1200)**

##### **Open Road Cut Permit:**

Mr. Locke requested approval of an Open Road Cut Permit: 1) P20001165 - Windermere Partners at 1,035' south of Governors Lane on Geist Road for the purpose of sanitary sewer connection to manhole in Geist Road. Clark motioned to approve. Holt seconded. Motion carried unanimously.

##### **Acceptance of Bonds/Letters of Credit - Highway Department:**

Mr. Locke requested acceptance of Bonds/Letters of Credit for the Highway Department. 1) HCHD #B980085 - Western Surety Company Continuation Certificate Bond No. 42823271 issued for Bedwell Construction in the sum of \$25,000 to expire May 19, 2002. 2) HCHD #B990033 - Fidelity and Guaranty Insurance Company Rider for Patrick R. Verble under Bond No. 31012019836991 to reduce bond from \$72,114 to \$19,000 for Valleys at Geist. 3) HCHD #B990038 - Washington International Insurance Company Continuation Certificate SUC70000440 00 in the sum of \$25,000 for Final Grade Excavating to Expire April 9, 2002. 4) HCHD #B010021 - United States Fidelity and Guaranty Company Bond No. 400SE0458 issued for Windermere Partners in the sum of \$10,000 for an open road cut for sanitary sewer connection approximately 1035' south of Governors Lane to expire February 27, 2002. 5) HCHD #B010022 - Haleysville Mutual Insurance Company Bond No. BBC048905 issued for Weihe Construction in the sum of \$64,402.41 for asphalt and curbs in Buckhorn Estates to expire March 14, 2003. 6) HCHD #B010023 - American Motorists Insurance Company Bond No. 3SM004405 issued for Drees Preferred Collection, Inc. in the sum of \$11,736 for streets, curbs and signs in Kingsborough, Section 3 to expire February 14, 2003. 7) HCHD #B010024 - American Motorists Insurance Company Bond No. 3SM004382 issued for Drees Preferred Collection, Inc. in the sum of \$16,312 for stone base, HAC binder and concrete curbs in Kingsborough II to expire February 14, 2003. 8) HCHD #B010025 - American Motorists Insurance Company Bond No. 3SM004381 issued for Drees Preferred Collection, Inc. in the sum of \$1,200 for street signs in Kingsborough II to expire February 14, 2003. 9) HCHD #B010026 - American Motorists Insurance Company Bond No. 3SM004380 issued for Drees Preferred Collection, Inc. in the sum of \$12,289 for final surface in Kingsborough II to expire February 14, 2003. 10) HCHD #B010027 - Western Surety Company Performance Bond No. 69139622 issued for Rhino Trucking in the sum of \$44,830 to clear right-of-way for future road construction to expire March 23, 2003. 11) HCHD #B010028 - Western Surety Company Payment Bond No. 69139622 issued for Rhino Trucking in the sum of \$44,830 to clear right-of-way for future road construction to expire March 23, 2003. 12) HCHD #L010001 - Fifth Third Bank Letter of Credit issued for The Marina Limited Partnership in the sum of \$19,845 for streets and curbs in Springs of Cambridge, Section 8 to expire March 5, 2002. 13) HCHD #L010002 - Fifth Third Bank Letter of Credit issued for The Marina Limited Partnership in the sum of \$56,920 for streets, curbs and street signs for Canal Place, Section 1 to expire March 5, 2002. Clark motioned to approve. Holt seconded. Motion carried unanimously.

##### **106th Street and College Intersection Design Continued:**

Holt asked to revisit the right turn lanes at 106th Street and College Avenue. Mr. Locke stated on the south side of the intersection of College we discussed a right thru lane and a right turn lane. That was put in under his direction. The thru part was not a requirement for level of service, it was to facilitate two thru lanes and bring them back together. That could be made a right turn lane only. That means one lane could go thru and anyone turning right into Crystal Flash or into Arthur Drive would have to be in the right

turn lane in order to turn into the subdivisions. The only other thing discussed was that we made Crystal Flash put in a right turn lane at their cost when we built the intersection, now if we take it back out, will there be a problem with that? Holt asked Mr. Locke if he is indicating there could be a liability to Crystal Flash if we eliminate that which we asked them to do, which was to have safe right turn into their property? Mr. Locke stated he believes there could be liability. As traffic continues to grow that right turn lane will only be more important. Holt asked by us reducing the south bound right turn lane to 10', will it be signed or arrowed "No Thru Traffic"? Mr. Locke stated we have taken down to 10' and it would have to become a right turn only lane. If it is a thru lane it has to be 11'. Holt stated he did not intend that in his motion. He thought you were telling us the lanes that could be reduced to 10'. Mr. Locke stated that is the reason the other two thru and right turn lanes are dual lanes. Holt stated it should be left as shown. Clark stated now we have one thru lane, southbound on College? Mr. Locke stated correct and a right turn lane reduced to 10'. Clark asked what does this do to your level of service? Mr. Hammond stated it should not effect it. Holt motioned at the southwest corner, right turn lane into Crystal Flash and Arthur Drive reduce to 10'. Clark stated she agrees with Les, she has no problem with a five lane intersection. Dillinger seconded. Holt and Dillinger approved. Clark opposed. Motion carried.

#### **Release of Bonds/Letters of Credit - Highway Department:**

Mr. Locke requested approval of release of Bonds and Letters of Credit for the Highway Department. 1) HCHD #B000002 - American Insurance Company Performance Bond #111 1945 2057 issued to Zaring Homes, Inc. and replaced by bonds issued to Drees Preferred Collection, Inc. 2) HCHD #B000004 - Amwest Surety Insurance Company Performance Bond #109001660 issued to Zaring Homes, Inc. and replaced by bonds issued to Drees Preferred Collection, Inc. 3) HCHD #B000005 - Amwest Surety Insurance Company Performance Bond #109001661 issued to Zaring Homes, Inc. and replaced by bonds issued to Drees Preferred Collection, Inc. 4) HCHD #B000006 - Amwest Surety Insurance Company Performance Bond #109001662 issued to Zaring Homes, Inc. and replaced by bonds issued to Drees Collection, Inc. 5) HCHD #L000005 - Owen Community Bank Letter of Credit in the sum of \$224,354.48 issued for Buckhorn Estates to be released as bonds were accepted for Weihe Construction. 6) HCHD #L990015 - Fifth Third Bank Letter of Credit SB11748 issued for Canal Place, Section 1 in the sum of \$284,600. 7) HCHD #L990020 - Fifth Third Bank Letter of Credit SB11848 issued for Springs of Cambridge Section 8 in the sum of \$99,226. 8) HCHD #L990021 - Fifth Third Bank Letter of Credit SB11850 issued for Springs of Cambridge Section 8 in the sum of \$1,500. 10) HCHD #B980072 - Fidelity and Guaranty Insurance Company Bond No. 31012021412982 issued for Karns, Inc., in the sum of \$1,840. 10) HCHD #B980071 - Fidelity and Guaranty Insurance Company Bond No. 31012021411986 issued for Calumet Asphalt Paving Company in the sum of \$5,090. Clark motioned to approve. Holt seconded. Motion carried unanimously.

#### **Agreements:**

##### **Kingsborough, Section 4 Subdivision Inspection:**

Mr. Locke requested approval of Subdivision Inspection Agreements, HCHD #A01-0001, for Kingsborough, Section 4 with Drees Preferred Collection and Floyd E. Burroughs & Associates, Inc. in the amount of \$5,500.00. Clark motioned to approve. Holt seconded. Motion carried unanimously.

#### **Concurrence Correspondence:**

Mr. Locke requested approval of correspondence concerning investigations of requests for signage on Hamilton County Roads. Mr. Glen F. Kesler requested a four way stop at 146th Street and Springmill Road in Washington Township. The Highway Department recommended no four way stop be installed at this time. Holt motioned to approve. Dillinger seconded. Holt and Dillinger approved. Clark abstained. Motion carried.

#### **Tipton County and Madison County Board of Commissioners Correspondence:**

Mr. Locke presented the requested correspondence to the Tipton County and Madison County Board of Commissioners regarding SR 37 and 296th Street intersection. Holt motioned to approve. Clark

seconded. Motion carried unanimously.

#### **Cammack Road Preferred Alignment Study:**

Mr. Morasch asked for the Commissioner's direction, they want to go to the next public hearing with two preferred alignments for Cammack Road. Mr. Morasch presented the two options to the Board. Option 1 - estimated cost is \$3.8 million. Option 2 - estimated cost is \$4.2 million. Mr. Locke stated these are construction estimates used in the matrix and are approximate. It is only to make a decision on the direction we are going, it would change dramatically in the 10 to 15 years when we do this improvement. Our intent is not to build these immediately. Holt motioned to approve Alternatives 1, 2A, & 3A for Cammack Road Alignment. Clark seconded. Motion carried unanimously.

#### **Spring Mill Road and Six Points Alignment Study:**

Mr. Morasch requested the Commissioner's direction for the alignment on Springmill and Six Points Road. Mr. Morasch stated the Highway's recommendation are alignments No. 1 and No. 2 for presentation at the next public hearing. Clark motioned to approve. Clark seconded. Motion carried unanimously. Mr. Locke stated this is a planning session for right-of-way donations for the Thoroughfare Plan and development process. This is not the beginning of a project.

#### **Five Year Bridge Management Program:**

Mr. Locke presented the Five Year Bridge Management Program, 2001 to 2005, for review. Mr. Locke stated if there are any questions, please bring them to the next meeting.

#### **Bridge No. 17, 246th Street over Teter Branch:**

Mr. Locke requested permission to advertise for replacement of Bridge No. 17, 246th Street over Teter Branch. Clark motioned to approve. Holt seconded. Motion carried unanimously. Mr. Locke requested approval of the plans for Bridge No. 17. Clark motioned to approve. Holt seconded. Motion carried unanimously.

#### **Council/Highway Committee Meeting:**

Mr. Tom Stevens stated there is a Council/Highway Committee meeting scheduled for Tuesday, April 10, 2001 at 8:30 a.m. There were three funding requests that the Council denied at their last meeting. We have resubmitted these requests for their April meeting. We will also be requesting funding for the widening of the Logan Street Bridge and to support the agreement with Noblesville for improvements to Hazel Dell. Mr. Stevens requested the Commissioners attend this committee meeting to help support these projects. Clark stated she will be unable to attend. Dillinger stated he will need support at the County Council meeting. Clark stated the meeting of Towne and Shelborne Realignment Study is the same night as the County Council meeting. We need to be careful when we schedule meetings that we don't conflict with our own county meetings. Dillinger stated this Council meeting was changed. Ms. Mills stated that meeting has been the second week in April for years because of Spring Break.

#### **Insurance Renewal:**

Ms. Sheena Randall stated she would like to discuss the renewal of our policies with The Nyhart Company and The Hartford Company. Ms. Randall introduced Scott Jarboe, Assistant Vice President of The Nyhart Company. Mr. Jarboe requested approval to renew the insurance policy with The Hartford Company and the administration contract with The Nyhart Company. It has been recommended by the Insurance Committee that the reinsurance deductible be increased from the current level of \$80,000 to \$120,000. This is being done with a savings of \$184,000 in fixed costs. It is being requested that the administration contract be renewed with no change in administration fees. The Hartford Company accepts the conditions of the renewal at \$120,000 and an amended contract from The Nyhart fee reflecting the revised fees for administration that would be effective April 1, 2001 to March 31, 2002. Holt motioned to approve. Clark seconded. Motion carried unanimously.



**Employee Health Benefit Trust:**

Ms. Randall presented copies of the signature cards for the Employee Health Benefit Trust Account for the record. Everything has been returned from Metro Bank and she requested approval to begin moving funds from Key Bank to Metro Bank. We currently have \$1,366,000 in the trust account. Ms. Randall's recommendation would be to move \$1 million and allow Metro Bank to start producing checks in the next cycle and start funneling out as we balance the final checks through Key Bank. Holt motioned to approve. Clark seconded. Motion carried unanimously.

**Ordinance 3-26-01-A, Amendment to Hamilton County Thoroughfare Plan:**

Mr. Chuck Kiphart requested approval of Ordinance 3-26-01-A, an Amendment to the Hamilton County Thoroughfare Plan that involves the intersection of 146th street, US 31 and SR 431. This amendment was approved by the Hamilton County Plan Commission unanimously. Holt motioned to approve. Clark seconded. Motion carried unanimously.

**Attorney:** (Tape 2, #3122)

**Ordinance 3-26-01-C, Establishing a Public Employee Retirement Fund:**

Mr. Michael Howard requested approval of Ordinance 3-26-01-C, Establishing a Public Employee Retirement (PERF) Fund. This fund was requested by the Auditor. Holt motioned to waive the rules. Clark seconded. Motion carried unanimously. Holt motioned to approve Ordinance 3-26-01-C on first reading. Clark seconded. Motion carried unanimously.

**Ordinance 3-26-01-B, Establishing a Digital Ortho Photography Fund:**

Ms. B.J. Casali stated the GIS Policy Committee has requested a Digital Ortho Photography Fund. This fund will set up payments for the Digital Ortho Photography over two years. This fund would hold the monies for this contract. Holt asked why does this need to be flown every two years? Ms. Casali stated because of the growth of the County. Holt asked when someone comes in with a building application or a plat why would we not apply those to the system? Ms. Casali stated he would have to ask the GIS users. Holt asked if this is \$600,000 every two years to see if we made a mistake? Ms. Casali stated she does not use the system and does not have that information. Mr. Locke stated we originally started out at 3 years, he would recommend the GIS Policy Committee to come to the Board of Commissioners to discuss why it is flown every two years. Clark motioned to introduce 3-26-01-B for first reading. Dillinger seconded. Clark and Dillinger approved. Holt opposed. Motion carried. Ms. Casali asked if she should schedule the appropriate people to come to the next meeting? Holt stated yes.

**Administrative Assistant:****County Recorder Contract for ACS Professional Software Services:**

Mr. Swift requested approval of the contract extension for professional services between the County Recorder and ACS Enterprises Solutions, Inc. for records management. Mr. Swift stated the County Recorder would like to purchase plat cabinet #3 at a cost of \$6,395.00. This would be purchased from the perpetuation fund. Holt motioned to approve. Clark seconded. Motion carried unanimously.

**Humane Society Holding Corporation:**

Mr. Swift stated the Humane Society of Hamilton County has notified the Board of Commissioners that they have appointed Dennis Rosiak as their representative to the Hamilton County Humane Society Holding Corporation.

**Rename of County Road:**

Holt stated he received a phone call and a letter from Brian Biddle requesting that a street currently called West South Drive be changed to Biddle Drive. Dillinger motioned to approve. Clark seconded. Motion

carried unanimously. Mr. Locke recommended we check to see if this has to be done by ordinance. Dillinger stated if it does, bring it back to us.

#### **Animal Control Ordinance:**

Mr. Swift stated the Animal Taskforce has a proposed county wide Animal Control Ordinance. Holt stated there is a sub committee of the Animal Taskforce that has been working for over a year on codification of animal control. They have looked at animal control ordinances from all over, held public hearings and brought it to the taskforce for review and it was approved unanimously by the Animal Taskforce to be sent to the Board of Commissioners with a request that the county attorney put in the legalities. A representative from Hendericks County addressed the penalty section and it was unanimously approved that the Hendericks County penalty section was appropriate and it should be included in the proposed Hamilton County ordinance. Mr. Howard stated he will have that revised for the next meeting. Holt asked Mr. Howard to send the revised ordinance to the Animal Taskforce for their review before it comes to the Board of Commissioners for consideration. Mr. Howard asked if the thought was that each municipality would also adopt that within their city limits? Holt stated yes.

#### **Census Information:**

Mr. Swift stated the Census information is out, but it is hard to find. It is on a web site. Dillinger we need to start addressing the redistricting. Dillinger asked Mr. Swift to get each township total.

#### **Antique Grader: (Tape 3, #539)**

Holt stated at the last meeting the commissioners voted to approve the installation of the concrete pad at the Highway Department for the antique grader. The following day Conner Prairie contacted him and they had investigated the antique grader and they would love to have the grader. They would use it with a team of horses at Conner Prairie to grade roads in the 1936 farmstead area. Holt motioned to enter into an agreement with Conner Prairie to transfer the King Junior Grader from the Highway Department to Conner Prairie for use in their road maintenance program in the 1936 farm. Clark seconded. Motion carried unanimously. Holt stated we need to send a letter to Conner Prairie stating we would be pleased to transfer it. This letter would be from the Board. Mr. Swift can take care of that. Mr. Howard stated the letter should state if it is disposed of it should revert back to Hamilton County.

#### **Communications Skills Seminar:**

Mr. Swift requested he be allowed to attend a communications seminar on April 10, 2001 at the Indiana Historical Society Building. Cost is \$70 per person. Holt motioned to approve attendance to the seminar for Mr. Swift. Dillinger seconded. Motion carried unanimously.

#### **Auditor: (Tape 3, #733)**

#### **Prevail Grant Certification and Acceptance:**

Ms. Robin Mills requested approval of the Certification and Acceptance for the Prevail Grant. Holt motioned to approve. Clark seconded. Motion carried unanimously.

#### **Liability Trust Claim:**

Ms. Mills requested approval of a Liability Trust Claim previously approved on March 12, 2001. The wrong vendor information was on the claim. This claim has the correct vendor listed. Holt motioned to approve. Clark seconded. Motion carried unanimously.

#### **Letters of Credit - Highway Department:**

Ms. Mills presented Letters of Credit released on February 12, 2001 for signatures. Holt motioned to approve. Clark seconded. Motion carried unanimously.

**Release of Letter of Credit - Drainage Board:**

Ms. Mills requested approval of a release of a Letter of Credit for the Drainage Board. 1) HCDB-L01-001 - Fifth Third Bank Irrevocable Standby Letter of Credit No. SB12638 for Kingsborough, Section 3 for monuments in the amount of \$650.00. Holt motioned to approve. Clark seconded. Motion carried unanimously.

**Acceptance of Letter of Credit - Drainage Board:**

Ms. Mills requested approval of acceptance of a Letter of Credit for the Drainage Board. 1) HCDB-L02-002 - Fifth Third Bank Irrevocable Standby Letter of Credit No. SIN044884 for the reconstruction of the J.R. Dunn Drain and remove restrictions from Little Cicero Creek across Chapman Estates. Clark motioned to approve. Holt seconded. Motion carried unanimously.

**Indiana Housing Finance Authority:**

Ms. Mills requested signatures on a signatory sheet for the Indiana Housing Finance Authority Grant. This form needs to be signed each year that the President of the Commissioners changes. Holt motioned to approve. Clark seconded. Motion carried unanimously.

**Vendor Claims:**

Ms. Mills requested approval of the Vendor Claims to be paid March 27, 2001. Clark motioned to approve. Holt seconded. Motion carried unanimously.

**Payroll Claims:**

Ms. Mills requested approval of the Payroll Claims for the period of March 3 to March 17, 2001 to be paid on March 30, 2001. Clark motioned to approve. Holt seconded. Motion carried unanimously.

Holt motioned to adjourn. Clark seconded. Motion carried unanimously. Meeting adjourned at 4:05 p.m.

**Commissioners Correspondence**

Home Place Enterprises, Inc. Letter re: 106th Street & College Avenue Design

Irene Farrand Letter re: 106th Street & College Avenue Design

Critical Road Funding Information from IACC

Highway Garage Renovation Meeting Minutes of 3/7/01

Hoosier Heritage Port Authority Notice of Meeting

Bridge #17 Notice of Transmittal from Beam, Longest & Neff

Strawtown Avenue Road Reconstruction Notice of Transmittal from Beam Longest & Neff

IDEM Notice of Sewer Permit Applications:

Rosewalk on Main - Carmel

IDEM Request for Approval Voidance Confined Feeding Operation:

Farm ID #1323

IDEM Notice of Appeal Rights:

Lowe's Home Improvement Center - Carmel

Carmel Fire Station No. 42 - Carmel

Settler's Ridge at Haverstick, Section 2A - Carmel

## **Present**

Sharon R. Clark, Commissioner APPROVED

Steven C. Dillinger, Commissioner HAMILTON COUNTY BOARD OF COMMISSIONERS

Steven A. Holt, Commissioner

Robin M. Mills, Auditor \_\_\_\_\_

Michael A. Howard, County Attorney

Fred Swift, Administrative Assistant to Commissioners \_\_\_\_\_

Kim Rauch, Executive Secretary to Auditor

Wayne A. Farley, Deputy Sheriff \_\_\_\_\_

Tom K. Stevens, Highway Director

Les Locke, Highway Engineer

Amy Rayle, Highway Public Service Representative

Virgina Hughes, Administrative Assistant to Highway Engineer

Jim Neal, Highway Project Engineer ATTEST:

Dave Lucas, Highway Inspector

James Farrell, Highway Inspector \_\_\_\_\_

Steve Broermann, Highway Technical Engineer Robin M. Mills, Auditor

Mark Fisher, Highway Technical Engineer

Christopher Burt, Highway Staff Engineer

Tim Knapp, Highway Right-of-Way Specialist

Matt Morasch, Transportation Development Engineer

Matt Knight, Highway Staff Engineer

Mike McBride, Small Structure Staff Engineer

Dustin Teachnor, Highway Assets Manager

Martha R. Corn, Home Place

Janet Edwards, Home Place

Jack L. Edwards, Home Place

Lester Fleenor, Home Place

Brent Leininger, Martin Marietta

Floyd Burroughs, Floyd Burroughs & Associates

Faraz J. Ichan, Hamilton County Highway Department

Emily Pittman, Ledger

Jose Kreutz, Plat Approvals

E. Davis Coots, Home Place

Mike Shumaker, IMI

Mike Browne, IMI

Billy Bryant, Kingsborough, Sec. 4

Eve R. Woods, 106th Street & College

Mark Swanson, 106th Street & College

Jim Belden, County Council

Judy Hagan, Clay Township Trustee

Dave Spencer, Home Place Enterprises

Jerry Larrison, Beam, Longest & Neff

Susan Miller, Metro North

Sheena Randall, Human Resources Director

Scott Jarboe, Nyhart

Chris Hammond, First Group Engineering